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One California Street Partners

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

12 ONE CALIFORNIA STREET PARTNERS, a  
California general partnership,

Case No. C 03 3762 SI

14 Plaintiff.

**STIPULATION FOR DISMISSAL OF  
COMPLAINT AND COUNTERCLAIM  
AND ORDER THEREON**

16 UBS PAINEWEBBER INC., formerly known  
17 as PAINEWEBBER, INCORPORATED, a  
Delaware corporation,

18 || Defendant.

## 19 AND RELATED COUNTERCLAIM

22 One California Street Partners ("OCSP") and UBS PaineWebber Inc. ("UBS  
23 PaineWebber"), by and through their counsel of record, hereby stipulate as follows:

WHEREAS the parties to this action have settled their dispute; and

25 WHEREAS in furtherance of that settlement they now wish to dismiss the complaint and  
26 counterclaim with prejudice;

27 || //

1 NOW, THEREFORE, IT IS HEREBY STIPULATED that this action, including the  
2 complaint and the counterclaim may be dismissed with prejudice, and that each side shall bear  
3 their own costs.

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5 Dated: May 27, 2005

Luce, Forward, Hamilton, & Scripps, LLP

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Mark Hagarty  
Attorneys for Plaintiff and Counter-Defendant  
One California Street Partners

Dated: May 24, 2005

Munger, Tolles & Olson, LLP

Mark H. Epstein  
Attorneys for Defendant and Counterclaimant  
UBS PaineWebber, Inc.

IT IS SO ORDERED

Dated: \_\_\_\_\_, 2005

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